

REMARKS

Applicants request favorable reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 38-73 are pending in the present application. Claims 38-41 are the independent claims.

Claims 38-42, 48-50, 56-58, 64-66, 72 and 73 have been amended. Applicants submit that support for these amendments can be found in the original disclosure, and therefore no new matter has been added.

Claims 38-48, 50-56, 58-64, and 66-72 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,499,294 (Friedman). Applicants respectfully traverse that rejection for the reasons discussed below.

As recited in independent Claim 38, the present invention is directed to an apparatus for generating additional data used for checking whether an encoded digital image is changed. As recited in that claim the apparatus includes, *inter alia*, the features of a calculation unit adapted to perform a predetermined calculation using the encoded digital image and confidential information, a generating unit coupled to the calculation unit and adapted to generate additional data using a result of the predetermined calculation, and a recording unit adapted to record the encoded digital image with the additional data on a recording medium. In other words, an apparatus performs a calculation using an encoded digital and confidential information, generates additional data using the result of the calculation, and records the encoded image with the additional data. Independent Claim 40 is a method claim that recites similar features.

Applicants submit that the cited art fails to disclose or suggest at least the above-mentioned features. As understand by Applicants, Friedman discloses hashing an image file and encrypting the hash with a private key, whereby the image file can subsequently be authenticated using the public key. However, that patent does not disclose or suggest at least the feature of a generating unit coupled to said calculation unit and adapted to generate additional data using a result of the predetermined calculation. The Office Action refers to the encryption of an image hash, which generates a digital signature, as the calculation unit and refers to the authentication system 20, a separate apparatus that decrypts the digital signature to check if the digital image has been changed, as the generation unit. However, in Friedman it is stated that it is the responsibility of the user to keep track of the image and digital signature files once they leave the camera, since both are required to authenticate the image file. See Col. 5, line 65 - Col. 6, line 1.

Applicants submit that this statement indicates that the authentication system is used after the files leave the camera, i.e., that it is separate from the camera. Accordingly, Applicants submit that Friedman does not disclose or suggest an apparatus including the combination of a calculation unit and a generating unit as recited in independent Claim 38 (or the corresponding method steps recited in Claim 40).

As recited in independent Claim 39, the present invention is directed to an apparatus for checking whether an encoded digital image is changed or not, wherein the apparatus includes, among others, the features of an inputting unit adapted to input the encoded digital image with first additional data used for checking whether the encoded digital image is changed or not, a calculation unit adapted to perform a predetermined calculation using the encoded digital image and confidential information, and a generating

unit coupled to the calculation unit and adapted to generate second additional data using a result of the predetermined calculation, wherein the apparatus is adapted to check whether the encoded digital image is changed or not using the first additional data and the second additional data. In other words, an apparatus performs a calculation using an encoded digital image and confidential information and generates second additional data using a result of the calculation, then uses first additional data and the second additional data. Independent Claim 41 is a method claim that recites similar features.

Applicants submit that Friedman fails to disclose or suggest at least the above-mentioned features. As Applicants understand it, Friedman discloses a decrypting authentication system 20, which uses a public key to authenticate the image file. See Col. 6, lines 31-37. Applicants submit that such a function does not involve performing a calculation using confidential information. The Office Action refers to the private key as confidential information. However, the private key is used only by the processor 12b to generate a digital signature, and not by the authentication system 20 to check whether the digital image is changed. See Col. 6, lines 24-27. Accordingly, Applicants submit that Friedman fails to disclose or suggest at least the above-mentioned features of the present invention recited in independent Claims 39 and 41.

The dependent claims are believed patentable for at least the same reasons as the independent claims, as well as for the additional features that recite.

For the foregoing reasons, Applicants submit that this application is in condition for allowance. Favorable reconsideration, entry of this Amendment, withdrawal of the rejections set forth in the above-mentioned Office Action, and an early Notice of Allowance are requested.

Applicants' undersigned attorney may be reached in our Washington, DC office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Attorney for Applicants
Brian L. Klock
Registration No.36,570

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
BLK/lmj
DC 171859v1

DC_MAIN 171859v1